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HARYANA GOVERNMENT URBAN ESTATES DEPARTMENT

Notification

The 21st July, 2022

No. 4781.— Whereas a number of land owners, whose lands was acquired under the provision of Land Act, 1894 and Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, have recently submitted, number of representation in Urban Estates Department seeking declaration of the acquisition proceedings as lapsed in terms of Section 101A of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Haryana Amended) Act, 2017. It is pertinent to mention that a number of cases u/s-24(2) have been decided by Hon'ble Supreme Court and Hon'ble High Court with directions to petitioners to file a representation before the Appropriate Authority within a specified time period from the date of passing order and the Appropriate Authority is to grant an opportunity of hearing to the petitioners and pass a speaking order, in accordance with the provision of the law, within the time period specified in the order.

2. The Governor of Haryana is pleased to notify the Zonal Committee (ZC) for each of the five zones, namely Faridabad, Gurugram, Hisar, Panchkula and Rohtak to decide the representations of the petitioner(s) as well as of other land owner(s), who may or may not have approached the court, seeking de-notification of acquisition proceedings, in terms of the provision of Section 101(A) of the RFCT LARR (Haryana Amended) Act, 2017, in a time bound manner. The constitution of the Committee shall be as under:

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| (i) | Administrator HSVP-cum-Zonal Additional
Director Urban Estate of the concerned zone | Chairperson. |
| (ii) | Concerned Senior Town Planner (Zonal) | Member |
| (iii) | Concerned District Town Planner | Member |
| (iv) | Concerned Estate Officer, HSVP | Member |
| (v) | Concerned Land Acquisition Officer | Member Secretary |

3. The functions of this committee shall be as under:

- 3.1 To receive representation from the petitioners/applicants as well as non-petitioner/applicants who seek benefit of provision of section 101A of the RFCT LARR (Haryana Amended) Act-2017 and policy dated 14.09.2018 of Revenue Department and afford them an opportunity of personal hearing.
- 3.2. The Committee shall examine the following points while sending their recommendations to the Department:-
 - (i) Clear cut recommendation regarding essentiality and viability of land. If the Zonal Committee recommends that acquired land has become non-viable or non-essential specific reasons should be recorded.

- (ii) Status of land prior to section 4 of LA Act, 1894. (whether constructed or vacant).
- (iii) Status of objections filed by petitioner u/s 5-A. (Yes or no) If yes what was the decision of Land Acquisition Officer.
- (iv) The specific public purpose for which the land has been acquired.
- (v) The area which was notified u/s 4 and declaration u/s 6 and award u/s 11.
- (vi) History of litigation and gist of order pronounced by Hon'ble Court (chronology of events to be provided).
- (vii) The planning on the acquired land duly depicted on the lay out plan.
- (viii) Allotment of plots or creating of any 3rd party rights in the entire acquired area as well as on the land of the petitioners/applicants.
- (ix) The payment/tendering of the compensation to the land owners qua the claimed land and the entire acquired land or deposit of it in the Reference Court or in any bank account.
- (x) Status of physical possession of the claimed land and the entire acquired land.
- (xi) Status of latest development works on the acquired land as well as the claimed land.
- (xii) Extent of payment of compensation, if any, to the land owner(s) on account of damage, if any, sustained by them due to acquisition of land.
- (xiii) Extent of compensation by providing alternate land along with payment of damages, if any, in case of part utilization of acquired land or in case of any encumbrances created on/against the acquired land or part thereof.

5. Proposal and recommendation regarding rejection of claim for release of land sent by Zonal Committee will be examined in the Department. After due examination department will submit its proposal to the Government for approval. The approval received from the Government will be conveyed to the concerned Zonal Administrator-cum-ADUE, who will pass a speaking order accordingly.

6. Proposal and recommendation, if any regarding release of land received from Zonal Committee will be considered by the Departmental Committee constituted by order of Government *i.e.* committee chaired by Administrative Secretary with participation of CA, HSVP, DUE and concerned DC. Thereafter, if require regarding recommendation for release of land from acquisition matter will be referred to Ministerial Sub Committee already notified under chairmanship of Hon'ble CM/Cabinet. According to decision already approved by Government, release cases upto 5 acres of land will be decided by Ministerial Committee and beyond 5 acres by Cabinet.

DEVENDER SINGH,
Additional Chief Secretary to Government Haryana,
Urban Estates Department.